Finance
No 164-16
461-4.

vide
Genl Fike Repr no.
232

G. R. S. IX-5)

24

Previous references.

1866-67.

File No

Later references. (S & A.)

Serial Nos 1—7

GENERAL AND RECENT SECRET (R)

Serial Nos. 1—7

Major ~~Part~~ B for August 1868.

SUBJECT.

Gratuity of Rs 3000/- to the widow of late Mr Boyton Confidential Clerk to the Chief Commissioner of Mysore.

1-24. (1)

S.A. 2 f/cr

The medical subject furnished
appears to afford some ground to
the grant of a pension
rules allow none -
service of 20 years would
limit to a pension of 10.
long had he part in a
subject cut of
further work
which might
him
it. Probably
The case is
to must
I on its
and I
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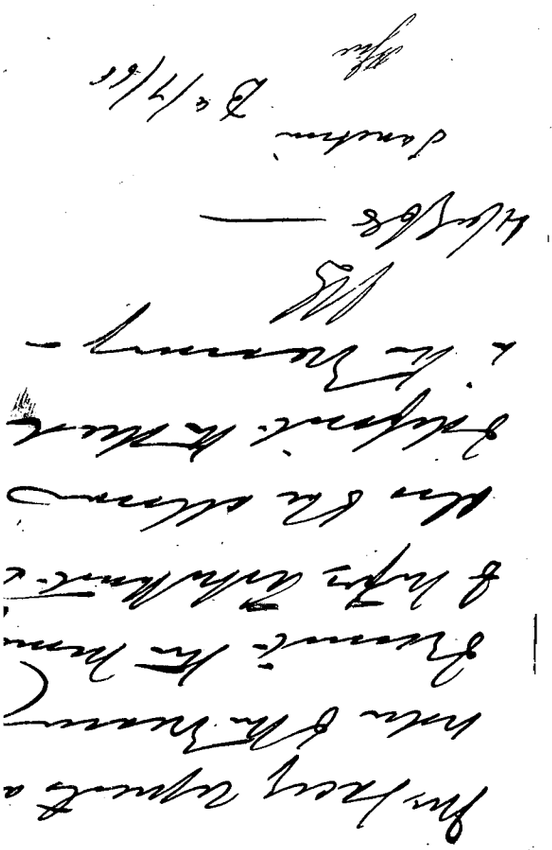
for

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]



N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

(4)

Bangalore
20th April 1867.
S & A. 2-66-1

To

C. B. Saunders Esqr. C.B.
Offg. Commissioner
of Mysore.

The Memorial of Anna Eliza Boyton, Widow of the late W. J. Boyton, Confidential Clerk in the Commrs. Office,

Respectfully sheweth,

I. That your Memorialist is the widow of the late Confidential Clerk of the Commissioners' Office, Mr. W. J. Boyton, who died on the 8th April 1867, and has been left with 4 children, the eldest of whom is under 7 years of age, wholly unprovided for. —

II. That the late Mr. Boyton has served Government for the period of ten years, four of which were under the Government of Madras, and six under that of Mysore, and that during the whole of this period, he has faithfully discharged his duties, borne a good character, and given all

his

his superiors every satisfaction, as will be seen by the enclosed Original Certificates as follows.

No 1 dated 2nd March 1859 from Mr Carmichael Deputy Secretary to the Government of Fort Saint George.

No 2. dated 18th February 1861 from T. Pycroft Esqre. Chief Secretary to the Govt of Fort Saint George

No 3 dated 2nd November 1852, from Major H. H. Cole as Offg Superintendent of the Madras Droog Department.

No 4 dated 26 January 1865 from Captain Colin Campbell late Secretary to the Govt.

No 5 dated 31st August 66, from C. Bowring Esqre Commissioner of Mysore —

III That your Memorialists late husband died humanly speaking, from sickness contracted while in the execution of his duty Viz. while on Journals through several districts, in support of which your Memorialist begs to enclose a medical Certificate, given by Surgeon Major J. Mackie, and thought your Memorialist does not put the circumstance forward so found a claim upon, yet she

respectfully begs that it may not be lost sight of, when the subject of this Memorial is taken into consideration. —

IV. Your Memorialist therefore prays that this her Memorial be taken into consideration, and that she be granted a pension, in consideration of her late husbands faithful services, so as to enable her to support herself and her children, as she is now wholly dependent on relatives for the daily necessaries of life, and your Memorialist as in duty bound will ever pray. —

(Signed) Anna C. Boyton

Certificate

Mr. W. Boyton has been employed for somewhat more than two years in drafting letters and drawing up Tabular Statements of various descriptions in the Commissioners' Office. In the former of these duties, which necessarily requires a quick apprehension and a certain Command of language, he has given me much satisfaction, and I have pleasure in recording my appreciation of his services. —

(Signed) L. Bowring.

31st August 1866. —

Copy.
Original. (7)

This is to Certify that the late Mr. Boyton, Confidential Clerk to the Commissioner of Mysore, Came into Bangalore on the 20th February 1867, labouring under a sharp attack of Hepatitis, accompanied by Symptomatic fever, and Considerable debility with Emaciation, Contracted while in the district under Canvas on duty, his case appearing serious I was sent for at the recommendation of Assistant Apothecary Walker, who attended him, by "Mr. Boyton." I prescribed for him then, but did not see him again till about the end of March, when I found him in so great and imminent danger, that it was necessary at once to perform a delicate operation, which afforded him much relief, and gave himself and his friends hopes of his recovery, he went on well for a time but ultimately sank from a complication of diseases, which, I have not the slightest hesitation in Certifying, were contracted from exposure to fatigue and Climate, while in the execution of his duties in malarious districts, well known to be highly dangerous to life - this was his third tour.

(Signed) J. Macbeth M.D.
Surgeon Major
16th N.I. Lancers.

Bangalore
16th April 1867.

From 1867-68 No. 834 24

To The Secretary to the Govt of India
Foreign department

Dated 9th May Simla
Despatched " "
Rec'd S & A. 266-2

Enclosures No. 3

General No. 834
Financial No. 24
1867-68.

Submits an original Memorial received from Mrs Boyton widow of the late Mr. W. J. Boyton Confidential Clerk of the Commissioner's office, and under the reasons detailed, solicits the grant of a gratuity equal to 10 months of her husband's pay. —

No 23.

of the late 2nd Regt
Which his death
on the 8th April 69
2 M. Boyton
whose services
in the above Corps
were much valued
both by Col. Boxing
and myself died
at the comparatively
early age of thirty-one
years leaving a
widow and 4 children
totally unprovided for
after having served
3 for forty four
years four of
which were spent
in the service of
the Indian Govt
& six under that
of Mysore -
3 M. Boyton who
was always a
man of delicate
constitution, became
ill to Canada during
the very cold
weather there, this

being the kind assistance which he had made him render to in company with the Lord Comp. &c.

I enclose a Medical Certificate from Dr. Macbeth, Surgeon Major of the 1st Queens Lancers who had been called in by the Hon. Gentlemen in attendance on Mr. Boyton, and who most skilfully operated on and saved

Political Department
Government of India Foreign Depart.
Simla the 9th May 1867

Sir

I have the honor to submit for the favorable consideration and orders of His Excellency in Council the accompanying Memorial which has been submitted to me by Mrs. Boyton widow of the late Mr. W. J. Boyton who held the honorable of Confidential Clerk in the Office of the

referred to were
some of the Jungle
tracts on the South
of the Lahtzjom
Division and Sutang
long through which
by Camp marched
in the months of
Dec.r and Jan.y as
a time when the
climate is considered
the less unwholesome
than at any other
period - Mr. Boyton
Mason died at

Mooleyphe [illegible]
until we reached
Hkamaw where he
was attacked
with Liver complaint
and it was after
found necessary
Considerence of his
having burst an
abscess internally
to leave him at
Hkamaw under the
treatment of a
Native Doctor - He was
subsequently brought

with Barcelona
and returned in
a time to tally, but
some days after
having had an attack
of a very delicate
character performed
upon him
very successfully by
Dr Macbeth, he
from whom and
is satisfied of his
medical attendant
from a combination
of diseases
6 The Rules of the
Unconnected Service
upon him ended his
death - This certificate
it will be observed
attributes his death
to a combination
of diseases which
"have contracted from
"exposure to fatigue
"and climate while
"in the Execution of
"his duties in Malaria
"districts well known
"to be highly dangerous
"to life"
5 The Malarious Region

during his service obtains
but on a medical
certificate of incapacity
for further work, which
he might not even then
have ~~done~~ obtained
had he not clung
to the hope of his
ultimate recovery.

The present case
is one which I think
His Excellency the
Viceroy ~~will~~ in Council
will be pleased with
difference specially
to ~~consider~~ the
terms of the accompanying
Medical Certificate
to consider as
exceptional one
which is worthy to
be distinguished
as it own merits
under these circumstances
I would beg ~~to~~ which
~~for~~ for the widow
the grant ~~of~~ the
Charitable Grounds
of a Gratuity equal
to 10 months of her
husbands pay which
was at the rate of
Rs 300 per mensem
and that he may
be debited in the
following proportions

to the Master & Brethren of
Gray's & to the Masters &
the Revenues of the
Navy one State, he
above being the Year
to which the Account
would had to relate
had been certified
under a certificate
of his Cashiers for
that purpose —

8 I annex a Copy of
a certificate given
by Mr Bowen of the Mr
Boyton at the time of
his leaving for England
& shew the Estimation
in which he held him

G. S. 57

my

do not admit of
any Pension or
compensation allowance
being made for the
support of Widow
& family of a Gover
Servant of the Mr
Boytons insolvency
and I am therefore
humble & respectfully
to hope any such Compensation
payment should be
made to Mr Boyton —
His Services however
would have entitled
him to a Gratuity of
£ hundred, had he

1867 (12) No. 81

From

The Under Secretary to the
Government of India
Foreign Department
Simla.

D/ 18th June
Rec/ 1st July

S & R. 2-66-3

No. 299

With reference to
letter No. 834/24 dated 9th
Ult. forwards proceedings of
Govt. in the Financial Dept.
sanctioning a gratuity of Rs.
3000 to Mrs. Boyton, under
the circumstances represented
therein.

(13)

(Copy)

No. 787

Government of India

Financial Department

Simla the 14th June 1867.

Read Foreign Department Endorsement dated 30th May 1867, No. 260, on an application from the Offg. Commissioner of Mysore for a gratuity in behalf of Mrs. Boyton, widow of the late Mr. W.J. Boyton, a Clerk of his office, who died from the effects of exposure to fatigue and climate while in the execution of his duties in malarious districts well known to be highly dangerous to life.

Resolution. - Under the circumstances represented by the Offg. Commissioner of Mysore, the Governor General in Council is pleased to sanction as a special case the grant to Mrs Boyton of the allowance which would have been admissible to her late husband had he been compelled to leave the service on the ground of permanent incapacity for further work, viz.t a gratuity of

Rupees

Rupees 13,000) three thousand, per two months pay. The entire charge will be debited to the Mysore State.

(Proceedings

(Proceeds that the foregoing Resolution be communicated to the Foreign Department and the Deputy Accountant General Mysore.

(Sd) C. H. Pennington
Secy: to the Govt of India

(No 299.

Copy forwarded to the Offg. Commissioner Mysore, with reference to his letter, No 834/24. 1/9th Ultimo

Simla
Foreign Dept:
& Finance
The 18th June 1867.

(Sd) H. Sec.
Under Secy to the Govt of India

should be a trustee. The C. H. Bowring Boyton does not seem to entitle any such claim. It appears necessary that the Court should take out authority to act for the children & I presume that this authority should be given by the Prob. Court and a bill security at the same time be made upon the person nominated. Gov. will make such arrangements for copying it out as may be deemed best. Possibly the Prob. Court may be able to suggest a more advisable course, but I should incline to either the Court or Prob. Court being made a trustee

B 07/4/68

1868-69 (15) No 8

From The Officiating Commr in Mysore

To The Secretary to the Commr of Mysore

Dated 6th April 1868

Rec'd 7th "

Reg'd 8th "

Ans. 23/39 S&A 2-66-4

Encloses original correspondence and requests instructions with regard to the course to be pursued in settling a sum of Rs 30000 on the family of the late Mr. Boyton, Confidential Clerk to the Commr.

Cancelled 7/Apl/68

Return endorsed. Gov. not prepared any such way by any other Mysore Court Gov. 8/4/68.

(16)

No. 39/8.

Mysore Judl. Commissioner's Office

Bangalore 6th April 1868.

From

J. B. Kindersley Esquire
Offg. Judicial Commissioner
in Mysore.

To.

The Secretary to the
Commissioner of Mysore

Sir,

I have the honor to enclose original correspondence as per margin* relating to an apparent intention to settle a sum of Rupees 3000 on the family of the late Mr Boyton, Confidential Clerk to the Commissioner.

2. Mr Lafond a relative of the children, having been referred by you to this office, I have the honor to request the favour of instructions as to the course which the Commissioner would desire me to pursue.

3. It appears that Mr Saunders requested Mr Lacey to draw up a deed which Messrs. Arbuthnot and Co. should execute; Mr Lacey appears to have had

a

* Letter from Mr E. I. Lafond dtd 24th January 1868.
—"— To Mr J. Lacey No. 2066 dtd 31st —"—
—"— from Messrs Arbuthnot & Co to Mr J. Lacey dated 24th March 1868.
—"— Draft of a Trust Deed.

a trust deed drawn, which the Judicial Commissioner should execute; and Messrs Arbuthnot and Co have remarked thereupon that it ought to be a security of the Commissioner as the grant is from Government.

4 I do not think that any instruction on the subject of the grant have reached this office. But I shall be happy to carry out the wishes of the Commissioner as soon as I am informed of them.

I have the honor to be

Sir,

Your most obed. Servant

J. H. Sanderson

Offg. Judicial Commissioner

(18)

Jre 259

Jnde 9

S&A 2-66-5

To. 6. 6.

17th April 1868.

To the Offg. Judicial Commissioner
in Mysore

Sir,

In returning the
enclosures of your letter No. 39
of the 6th. instant, I am directed
to observe that in the Comrs opinion
there is no reason
why any Officer of the Mysore
Commission should be appointed
a Trustee for the investment
of the money granted by Govt.
to the late Mrs. Boyton, espe-
cially when the terms of the
grant do not seem to impose
any such obligation. It appears
to the Commr necessary, that
the nearest relative
should
take out authority to act for the
children, and ~~be presumed~~
presumed
~~that~~ this authority should
be given by your Court. On
your according it, the money
can be made over to the
person nominated, who will
make such arrangements for
laying it out as may be
deemed best.

B 16/4/68

2. ~~Mr Bowring considers~~
I am desired to add
that you may possibly be
able to suggest a more
Mr Bowring
advisable course, but he
would observe to either the
Commr. or "Jud. Comrs" being
made a Trustee. I have &c

Secretary

(20)

Madras, 2d July, 1868.

J. Lacey, Esq,

Bangalore.

Dear Sir

In re Boyton's Trust

We Return the Deed received with your letter of 25th ultimo, duly executed by Messrs Mackenzie & Macfadyen - We await your remittance of the amount placed in Trust - It is not our intention to charge the Commission which the Deed authorises us to take. -

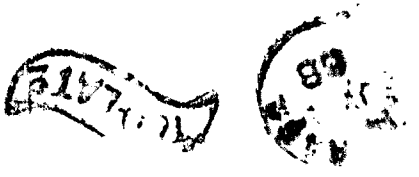
We Remain,

Dear Sir

Yours faithfully,

A Thomson & Co

J. Lacey, Esq.
(Bangalore)



F1277 — 54

No. Whole 8/6/68 Madras Sea Customs

(22)

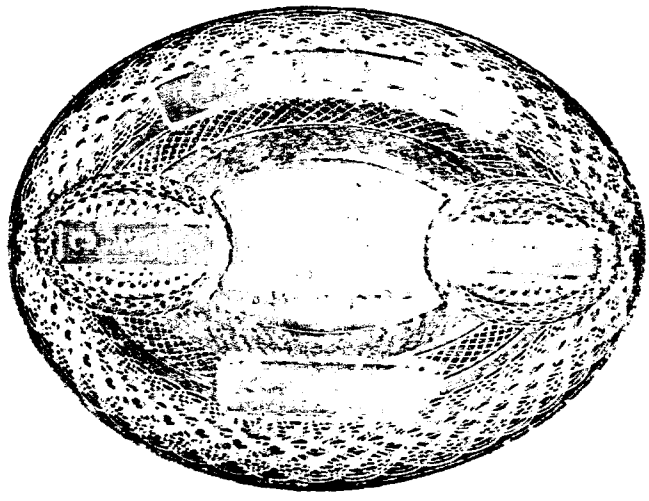
maintenance and education of the said Children.

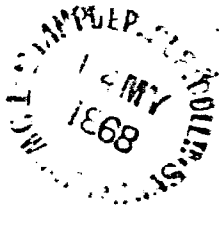
3d That the said Trustees apply, whenever in their discretion just and reasonable cause exists, all or any portion of the principal to the support, maintenance and education of the said children; and for this purpose may sell and dispose of the securities, or withdraw any deposit or part thereof from any Bank in which the deposit be made.

4th That the said Trustees shall pay over to each child on his or her attaining his or her twenty first year or in the case of the girls on their marriage or on reaching their twenty first year which ever shall first happen, his or her share of the said sum of three thousand Rupees with such interest as may have accumulated, or his or her share of any balance that may remain in the hands of the said Trustees: provided that each child have an equal share, no one child being

[illegible]

5th That the said Trustees do and assume for the benefit of the aforesaid Children the whole, profits or dividends and advantages, and pay and allow the same to the parents respectively in their discretion for the children, and just consideration of [illegible] being spent





This indenture made between the Commissioner of Mysore of the one part and Alexander Mackenzie Esquire and Patrick Macfadyen Esquire of the firm of Messrs Arbuthnot and Company Merchants Agents and Bankers at Madras of the other part.

Whereas the Mysore Government have in consideration of the faithful and zealous services of the late William Frere Boyton, confidential Clerk to the Commissioner for the Government of the Territories of His Highness the Maharajah of Mysore, granted unto his family, to wit to his sons William George, Swan Scott, and Alfred Lance, and to his daughter Lucy Anna Catherine, and Nida, the sum of Government Rupees Three Thousand, Now this Indenture witnesseth that the aforesaid Commissioner of Mysore doth by these presents nominate and appoint the said Alexander Mackenzie Esquire and Patrick Macfadyen Esquire of the firm of Messrs Arbuthnot and Company Merchants Agents and Bankers at Madras joint Trustees for the securing and applying of the said sum of Three Thousand Government Rupees, and the said Alexander Mackenzie Esquire and Patrick Macfadyen Esquire do hereby accept the office of joint Trustees for the securing and applying of the said sum of Three Thousand Government Rupees subject to the following terms and conditions:-

(23)

From 1868/9. M. L. C.

To The Officer in charge of the Commrs. Treasury Bangalore

Dated Bangalore 6th July 1868

Despatched

Received S & A. 2-66-6

Enclosures No. one

General No. 1988 } 1868-69.
Trivan No. 63 }

In forwarding for deposit in the Commrs. Treasury a Trust Deed executed jointly by Messrs. Mackenzie and Macfadyen of the Firm of Messrs. Arbuthnot & Co. Madras, requests that the sum of Rs. 3000 granted by Govt. to the family of the late Mr. W. J. Boyton may be remitted to the above Firm, and an acknowledgment obtained.

By Order

6/7/68

Secretary

Cfp. 88. m20 6/7/68

(24)

Madras 21st August 1868.

S & A 2-66-1

H. Hudson, Esqr.,
Deputy Accomitant Genl., Mysore,
Bangalore.

Sir,

With reference to your letter to the address of Messrs Arbuthnot & Co., No. 457, dated 13th July we have the honor to acknowledge the receipt of Rs 3082 — 5 — 1. therein remitted being the amount granted by Government for the benefit of the family of the late Mr. W. F. Boyton in terms of the Trust Deed executed by us, —

We have the honor to be,
Sir.
Your Most Obedient Servants

Annekenzie

Rucafadyen

Trustees of the family of the late Mr. W. F. Boyton.

1868.

From
The Trustees of the
Family of the late
Mr. W. S. Boyce
Madras.

(Sale) 21 } August
(12 to 24) }

With reference to
letter to Messrs
Arbuthnot & Co.
from this Office
dated 13 July 1868
requesting copies
receipts &c. 3082.
5. I now beg
to send herewith
an account of sundry
articles sold by